

Minutes



NORTH Planning Committee

22 February 2017

Meeting held at Committee Room 5 - Civic Centre, High Street, Uxbridge UB8 1

	<p>Committee Members Present: Councillors Eddie Lavery (Chairman), John Morgan (Vice-Chairman), Jem Duducu, Duncan Flynn, Raymond Graham, Henry Higgins, Manjit Khatra, John Oswell and Jazz Dhillon (In place of John Morse)</p> <p>LBH Officers Present: James Rodger - Head of Planning & Enforcement, Neil McCLEllen - Major Applications Team Leader, Syed Shah - Principal Highway Engineer, Roisin Hogan - Planning Lawyer, and Neil Fraser - Democratic Services Officer</p>
155.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillor Morse, with Councillor Dhillon in attendance as his substitute.</p>
156.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>Councillor Oswell declared a pecuniary interest in respect of item 6, Eastcote Motor Services, in that the suppliers before demolition were a company that Councillor Oswell worked for, and who now paid his pension. Councillor Oswell confirmed that he would leave the room whilst the item was considered.</p>
157.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETINGS (<i>Agenda Item 3</i>)</p> <p>RESOLVED: That the minutes of the meetings held on 26 October 2016 and 1 February 2017 be agreed as a correct record.</p>
158.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
159.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 5</i>)</p> <p>It was confirmed that the items of business marked Part I would be considered in public, and the items marked Part II would be considered in private.</p>

160. **EASTCOTE MOTOR SERVICES - 3689/APP/2016/3801** (*Agenda Item 6*)

Variation of condition No. 2 (Approved Plans) of planning permission ref:3689/APP/2015/2851 dated 23/12/2015 to relocate the staff parking, alter the location of the shop, increase canopy height, alterations of various glazed elements and relocation of the bin store. (Erection of petrol filling station, shop and canopy, including underground tanks and demolition of existing petrol station

Councillor Oswell, having declared a pecuniary interest, left the room for the duration of the item.

The officer introduced the report, and highlighted the addendum. It was confirmed that permission was granted in 2015 for the demolition of the site's existing petrol station and the erection of a new petrol filling station, shop, and canopy, including underground tanks. The proposal now before the Committee was for the variation of condition 2 (approved plans) to relocate the staff parking, alter the position of the shop, raise the canopy height by an additional 0.5m, and re-position the bin store. As it was felt that the new proposal would have no material impact on the Eastcote Village Conservation Area or residential amenity, nor would it result in a significant increase in traffic, it was recommended that the proposal be approved.

A petitioner objecting to the proposal addressed the Committee, citing as reasons for objection the proposed increase in canopy height, (and discrepancies within the officer's report relating to the size of the increase), the size of the proposal which would lead to overdominance within the conservation area, and light pollution which could affect houses opposite to the site and could have environmental consequences for the river.

The petitioner went on to explain that lighting at the previous site was turned off at night, and that this condition was missing from the current proposal. In addition, it was asserted that a lighting scheme would be required, particularly as a separate application for nine additional illuminated signs at the site had been submitted. It was requested that the decision be deferred until such time as a full lighting review could be conducted.

The agent for the application addressed the Committee in response. The agent reminded the Committee of the proposal that had been permitted previously, and that this proposal was only to amend that scheme. The proposed changes were to allow for a more efficient layout on site, and the canopy was to be raised to allow modern tankers to service the site. The permission granted in 2015 did not specify any conditions related to operating hours, and it was confirmed that the site itself had always been operable 24 hours. Responses to the recent consultation had not resulted in any concerns from the Environmental Agency over light or noise pollution. The agent reiterated the officer's recommendation, and requested that the application be approved.

In response to the petitioner, officers confirmed that the proposed new canopy was 0.5m higher than the canopy approved in 2015. Officers confirmed that due to the new height, there would be additional light spillage, but that this would be minimal.

The Chairman confirmed that Ward Councillors for Eastcote had requested that the decision be deferred due to concerns over light pollution. In addition, the Chairman drew attention to the addendum which set out that the proposed nine additional illuminated signs were part of a separate planning application and not under

consideration at this meeting. The chairman requested that the separate application be brought to a future Committee meeting for consideration.

Members discussed the application, and requested that an additional condition be added to ensure that any lighting from inside the shop was turned down after 10pm, to limit any light spillage onto the forecourt after those hours. This was moved, seconded and when put to a vote, unanimously agreed.

(Councillor Flynn was in the room but did not vote or take part in the discussion as he was not present when the item was introduced.)

RESOLVED: That the application be approved, subject to the addition of a lighting condition, to be agreed by the Chairman and the Labour Lead.

161. **104 BREAKSPEAR ROAD SOUTH - 70259/APP/2016/4197** (*Agenda Item 7*)

Amendments to fenestration at first floor level, extension of canopy to front, amendment to roof of single storey rear element involving alterations to elevations (Part-Retrospective)

Officers introduced the report, and highlighted the addendum which set out the reasons for refusal. Members were informed that planning permission was granted in 2014 for a number of alterations, including a single storey rear extension, a porch at the front of the building, conversion of roof space, and conversion of the roof from a hip to a gable. The scheme was currently being implemented, but not in accordance with the approved plans, with the main differences being amendments to fenestration at first floor level, extension of the canopy to the front, and amendment to the roof of a single storey rear element, involving alterations to elevations.

Officers confirmed that the proposed front canopy, by reason of its size, scale, bulk and width, and the white render of the first floor in comparison to the predominantly brick built houses along this part of Breakspear Road, South, were detrimental to the existing building, character and appearance of the street scene and wider area, and it was therefore recommended that the proposal be refused.

The applicant addressed the Committee, and brought a petition in support of the proposal, asserting that his dwelling was not the only local property with white rendering, and therefore was not out of character with the local scene. In addition, the extension to the front canopy was required to cover his children during periods of poor weather, and that other households had carried out similar extensions. The petitioner confirmed he had obtained 92 signatures from local residents in support of the proposal, which comprised 31 of the 60 houses within the road.

Members discussed the proposal, and while sympathetic, were concerned that the applicant had not followed the plans as previously approved, in contravention of the Council's policies. The officer's recommendation was therefore moved, seconded, and when put to a vote, unanimously agreed.

RESOLVED: That the application be refused.

162. **103 SHENLEY AVENUE - 20004/APP/2016/3968** (*Agenda Item 8*)

The item was withdrawn prior to the meeting.

Two storey, 3-bed dwelling with habitable roofspace, parking and amenity space and installation of vehicular crossover to front.

Officers introduced the report, confirming that the application had been previously refused due to the Committee's concerns that the proposal did not respect the architectural character of the street scene of the wider Area of Special Local Character. The proposal had since been amended, and it was felt that these concerns had been addressed. As such, the application was recommended for approval.

A petition addressed the Committee in objection to the proposal, on behalf of over 150 neighbours from over 70 homes in the area. The petitioner asserted that the plot of land was not of sufficient size of such a development, and that despite the Committee's refusal, development work had begun on the site. The petitioner claimed that there was little difference between the original application and the revised application, and that the proposal was still too large and tall, was forward of the existing building line, and would have a detrimental impact on the area, as well as on neighbours' light and private amenity due to overdominance. The petitioner therefore requested that the application be refused.

A second petitioner addressed the Committee, also in objection to the proposal on behalf of Gatehill Residents Association. The petitioner's concerns included a lack of private amenity space caused by the size of the proposed building, the potential for the front garden to be used for parking and manoeuvring. The petitioner asserted that, in his opinion, there were no conditions that could be put in place to mitigate the lack of garden space resulting from the proposal, and there were additional concerns that approving the application could set a precedent for future applications that were also not in keeping with the Area of Special Local Character. The petitioner therefore requested that the application be refused.

The agent for the applicant addressed the Committee in response. The agent confirmed that in response to the previous decision to refuse planning permission, the applicant had worked alongside the planning case officer to address the Committee's concerns over scale, height, and building line. This had resulted in a significantly improved proposal that was visually in keeping with the area and fully complied with the relevant policies. The proposal would not cause any significant loss of privacy or light, there would be no overlooking, and an inspector had also not raised any objections. It was asserted that the objections were disproportionate to what was a carefully crafted proposal designed to improve a vacant plot of land. For these reasons, it was requested that the application be approved.

Members sought clarity on the boundary requirement. Officers confirmed that the proposal complied with the 1.5m requirement, though Members challenged this due to the inclusion of an exterior chimney breast on the south elevation, which appeared to reduce the distance between the properties.

During discussion relating to the outcome of any potential appeals, Officers highlighted that the conservation officer had been heavily involved with the application and had not raised any concerns.

Members discussed the application, with some Members deeming the proposal to be acceptable in light of the revisions made and the comments of the Conservation officer. Other Members raised concerns over the size, scale and bulk of the proposed development, and for these reasons, it was moved that the application be refused. This

was seconded, and agreed by a vote of 5 to 3.

RESOLVED: That the application be refused.

164. **BISHOP RAMSEY SCHOOL - 19731/APP/2017/66** (*Agenda Item 10*)

Variation of condition 3 of planning permission ref: 19731/APP/2008/2153 dated 26/11/08 (New Multi-Use Games Area and associated works) to allow the Multi-Use Games Area to be used until 9pm Monday to Friday.

Officers introduced the report and highlighted the addendum, confirming that permission was granted in November 2008 for the creation of a Multi-Use Games Area (MUGA) and associated works at Bishop Ramsey C of E School in Eastcote. Condition 3 of that consent restricted the use of the MUGA to between 0900 hours and 1800 hours Mondays to Saturdays and at no time on Sundays and Public Holidays. The new proposal sought to vary that permission to allow longer house of use on weekdays, to facilitate community use. It was recommended that the proposal be refused due to the reasons set out in the report.

A petitioner addressed the Committee in objection to the proposal, on behalf of over 300 signatories. The petitioner cited concerns over increased noise and traffic that could affect local residents. This was of particular concern as the nearby primary school was due to double in size in the near future, which would further add pressure on traffic and parking within the area. In addition, there were concerns that the school's ultimate goal, should this permission be granted, was to erect floodlights that would cause additional light pollution and would disturb residents and public. For these reasons, it was requested that the application be refused.

Councillor Markham addressed the Committee on behalf of his fellow Manor Ward Councillors, confirming that they supported the officer's recommendation for refusal, for the reasons given in the officer's report.

Members discussed the proposal, and shared the concerns raised regarding the impact on noise, traffic and parking in the area, should the application be approved. For these reasons, it was moved that the application be refused. This was seconded, and when put to a vote, unanimously agreed.

RESOLVED: That the application be refused.

165. **219 SWAKELEYS ROAD - 10215/APP/2016/1443** (*Agenda Item 11*)

Two storey dwelling with habitable basement and roofspace to create 6 x 1- bed self-contained flats with associated parking, bin store and amenity space (Outline Planning Application with Some Matters Reserved).

Officers introduced the report, confirming that the application had been deferred at the Committee meeting on 1 February 2017 in order for Members to visit the site, and in order for the compliance with the 10% guideline set out in paragraph 3.3 of the HDAS 'Residential Layouts' SPD to be checked. The site visit had taken place on 17 February 2017, whilst it was confirmed on the addendum that the scheme complied with the 10% guideline set out in the SPD. The officer summarised the proposal, and recommended that the application be approved.

At the previous meeting, Members expressed concerns that that the dwelling would be very close to properties in Roker Park, and could be visually intrusive for Nos. 3 and 5

Roker Park. However, it was confirmed that the site visit had alleviated those concerns.

Members discussed the proposal, and felt that aesthetically, the proposal was an improvement on the current situation. However, Members felt that location of the parking provision and the cycle shed could be improved. It was therefore moved that the application be approved, subject to the Head of Planning agreeing an additional condition relating to the siting of the parking provisions and cycle shed. This was seconded, and when put to a vote, unanimously agreed.

RESOLVED: That the application be approved, subject to the Head of Planning agreeing with the applicant the location of the parking provision and the cycle shed.

166. **CORNERWAYS - 18414/APP/2016/3792** (*Agenda Item 12*)

Variation of condition No. 6 (Attendance Numbers) of planning permission ref: 18414/APP/2016/2486 dated 07/10/2016 to increase enrollment numbers from 30 to 60 (Change of use from Use Class C3 (Dwellinghouse) to Use Class D1 (Non-Residential Institutions) for use as a children's day nursery with associated parking and landscaping.)

Officers introduced the report, confirming that Members resolved to grant planning permission for the application at the Planning Committee meeting of 1 February, subject to a legal agreement for the installation of no right-turn barrier on Rickmansworth Road, to prevent traffic turning into or out of the site's vehicular access. Since then, options had been reviewed alongside the applicant's transport consultant, and officers had concluded that insufficient road width existed to enable a right turn restriction to be installed. However, officers maintained the view that the proposal was acceptable without the restriction, and it was recommended that the application be approved.

Members expressed their concerns that, due to the volume of cars that would be entering and exiting the site via the turning, (the majority of whom would be parents with young children), the application should be refused on grounds of safety. However, during discussion it was suggested that the application could be approved, subject to the addition of an amendment to the s106 clause to prohibit use of the parking to nursery staff only. This was moved, seconded, and when put to a vote, unanimously agreed, with one abstention.

RESOLVED: That the application be approved, subject to the Head of Planning agreeing revisions to the s106 clause relating to the management of parking for parents.

167. **ENFORCEMENT REPORT** (*Agenda Item 13*)

RESOLVED:

- 1. That the enforcement action as recommended in the officer's report be agreed;**
- 2. That the Committee resolve to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.**

This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).

The meeting, which commenced at 7.00 pm, closed at 8.55 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services on 01895 250636. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

The public part of this meeting was filmed live on the Council's YouTube Channel to increase transparency in decision-making, however these minutes remain the official and definitive record of proceedings.